

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

---

GIITOU NEOR and TYRONE WALLACE, *on behalf  
of themselves, FLSA Collective Plaintiffs, and the Class,*

Plaintiffs,

-against-

Case No.: 22-cv-04814-ER

ACACIA NETWORK, INC.  
d/b/a ACACIA NETWORK,  
ACACIA NETWORK HOUSING INC.  
d/b/a ACACIA NETWORK,  
PROMESA RESIDENTIAL HEALTH CARE  
FACILITY, INC.  
d/b/a PROMESA, and  
JOHN DOE CORP 1-100,

**STIPULATION OF  
DISMISSAL WITH  
PREJUDICE F.R.C.P. 41(A)(1)  
(a)(ii) AS TO OPT-IN  
PLAINTIFFS JEFFREY  
ARROYO, GARY WHYTE,  
JOHNNY CRUZ, AND UNICE  
WILLIAMS**

Defendants.

---

**IT IS HEREBY STIPULATED AND AGREED**, by and between the parties, through their respective counsel, that the Fair Labor Standards Act ("FLSA") and the New York Labor Law ("NYLL") wage claims of Opt-in Plaintiffs Jeffrey Arroyo, Gary Whyte, Johnny Cruz and Unice Williams are hereby dismissed with prejudice, as against Defendants, without costs or attorneys' fees to any party, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). There has been no settlement of any kind between these Opt-In Plaintiffs and any of the Defendants in connection with the claims being voluntarily dismissed herein.

For the avoidance of doubt, Plaintiffs Gittou Neor and Tyron Wallace and all other remaining Opt-In Plaintiffs maintain their claims against Defendants.

LEWIS BRISBOIS BISGAARD & SMITH LLP      LEE LITIGATION GROUP, PLLC

By: /s/ Simi Bhutani

Simi Bhutani, Esq.  
Peter T. Shapiro, Esq.  
77 Water Street, Suite 2100  
New York, New York 10005  
(646) 783-1708  
[Simi.Bhutani@lewisbrisbois.com](mailto:Simi.Bhutani@lewisbrisbois.com)  
[Peter.Shapiro@lewisbrisbois.com](mailto:Peter.Shapiro@lewisbrisbois.com)  
Attorneys for Defendants

Date: November 21, 2024

By: 

C.K. Lee, Esq.  
148 West 24th Street, 8th Floor  
New York, NY 10011  
(212) 465-1188  
[cklee@leelitigation.com](mailto:cklee@leelitigation.com)  
Attorneys for Plaintiffs

Date: November 21, 2024

SO ORDERED

\_\_\_\_\_  
U.S.D.J.